

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
January 5, 2000

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:01 p.m., Wednesday, January 5, 2000, in the Board Room, York County Finance Building, by Chairman Sheila S. Noll.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Melanie L. Rapp.

Also in attendance were Daniel M. Stuck, County Administrator; and James E. Barnett, County Attorney.

Invocation. Mr. Lynn Howard, Crossroads Community Church, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Noll led the Pledge of Allegiance.

ORGANIZATION OF THE 2000 YORK COUNTY BOARD OF SUPERVISORS

ESTABLISH RULES OF PROCEDURE

Chairman Noll indicated that one of the proposed changes to the Rules of Procedure was to limit Citizens Comment Period to York County citizens, property owners or to individuals who own businesses in the County. She questioned why the Board would want to place such a limitation inasmuch as the Board prides itself on open government, and she asked that the Board reconsider the proposed change.

Mr. Zarembo stated he felt the amendment was appropriate in that the Board wanted to tell the citizens of York County that it works for them and those who have an interest or business in the County. The Board doesn't work directly for people in other communities, and the proposed change would not be precedent-setting. He indicated that in Williamsburg individuals cannot address the Council without the permission of the mayor unless they live in the City. He stated that with the approval of the Board, outsiders would be allowed to speak.

Mr. Barnett explained that he and his assistant had done some quick research concerning whether or not such a restriction might be challenged, and he apprised the Board of cases where a similar restriction was struck down by the courts.

Miss Rapp stated she spent the last two days calling five of the surrounding jurisdictions on the Peninsula and asking how their governing bodies handled speakers. She indicated that the City of Williamsburg's clerk told her three times that the Council does not limit its speakers to citizens. She also noted that none of the other jurisdictions she contacted limit their speakers. Miss Rapp stated she had also researched the last two years of the Board's minutes on the website, and only 8 people spoke before the Board in 1999 who did not live in County. One of those individuals would have met the criteria of business owner, so the Board only spent 21 minutes of its time listening to non-citizens. She stated she would not vote to deny freedom of speech to anyone.

Mr. Burgett expressed his agreement with Mr. Zarembo's comments, stating the citizens of the County are the people the Board should be giving its time to hearing. He stated the wording allows, with the approval of the Chairman, others to speak before the Board, and he did not feel the amendment would deny anyone the right to speak. He stated if York County is to spend taxpayers' money, then he did not believe a resident of another locality should be commenting on how the Board should spend it.

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Chairman Noll stated she did not feel that non-citizens use so much of the Board's time as to warrant such a rule prohibiting their speaking during regular meetings of the Board.

Mr. Wiggins recalled that when the Christopher Newport University performing arts center issue came up there were several speakers from Newport News discussing the widening of Warwick Boulevard, and he asked why the Board should have to listen to residents of Newport News about their problems. He expressed his support of the proposed change.

Chairman Noll then questioned Mr. Zaremba's proposed change to eliminate Agency and Staff Presentations from the regular meeting agenda and conduct these types of presentations at work sessions.

Mr. Zaremba noted that the late agenda material prepared by staff outlined all the proposed changes, and he asked Mr. Stuck to provide clarification.

Mr. Stuck indicated that in order to accommodate the intent of Mr. Zaremba's proposed change, Agency and Staff Presentations was deleted from the Order of Business, and Citizens Comment Period was moved up on the order as requested. He also noted there was currently a section called Employee Recognition and Presentations by Citizen Boards and Commissions which was changed to simply read "Presentations" in order to provide a category for those presentations of any type which the Board wishes to be held at the regular meetings. Mr. Stuck noted that the language requested by Mr. Zaremba had been added to the end of Section 5-1 to require coordination with the Chairman on agenda items prior to the agenda book being published. Section 6-2 was deleted in its entirety and replaced with the wording submitted by Mr. Zaremba. He also provided clarification as to the amendment to Section 1-1 concerning the dates of the regular meetings. Because the State Code requires that the Board specify the time and place of its regular meetings, staff felt that just stating that the Board would change its meetings to Tuesdays after moving into York Hall was too ambiguous. Staff felt the best way to address the Board's wish to meet on Tuesdays and meet the statute was to specify that the regular meetings would continue to be held on Wednesdays through the month of March, and that they would be held on the 1st and 3rd Tuesdays for the remainder of the year. In the event York Hall is ready for occupation earlier, or later, than April 1, the Board can adopt another resolution amending Section 1-1 of the Rules of Procedure to move the meetings to the new dates.

Chairman Noll stated she felt that if the Board was going to have the agenda approved prior to publication it should be approved by each member of the Board.

Mr. Zaremba indicated that Mrs. Noll could make a motion to amend the proposed language, but the proposed wording would stand unless the Board agreed to change it.

Chairman Noll moved that the proposed addition to the end of Section 5-1 requiring the agenda to be approved by the Chairman prior to its publication be deleted.

On roll call the vote was:

Yea:	(2)	Rapp, Noll
Nay:	(3)	Zaremba, Wiggins, Burgett

Chairman Noll then reviewed the current wording of Section 6-2 and Mr. Zaremba's proposed replacement. She stated she felt that the current language better served the people and the staff, as well as protecting the rights of the Board members to the votes the citizens have given them to use. She stated no action can be taken without the entire Board ratifying the action.

Mr. Zaremba stated he felt the current language was an affront to his responsibility, maturity, and accountability. To not allow a Board member the ability to interact with County employees makes it look as though a Board member might do something out of line with respect to the employees. He stated the new language was an attempt to put responsibility where it belongs with the Board and not with the County Administrator.

Mr. Burgett stated he felt that the Board members were expected to carry out the responsibilities of the office to which they were elected. He stated he felt the new language was proactive, and he supported it.

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Mr. Wiggins expressed his agreement with Mr. Zaremba and Mr. Burgett. As Supervisors, the Board members were elected by the people, and they have a duty to work with the County Administrator and employees. He stated the Board members have a lot to offer, and he felt the proposed language was perfectly legitimate, and it was right for the Board of Supervisors to want to give its input to the County Administrator.

Chairman Noll indicated the Board has always provided its input. She suggested that if it was felt the language in Section 6-2 needed to be clarified, it should be clarified through an amendment to the current wording. She stated the current language protects the Supervisors and the citizens, and she did not feel there should be undue pressure on staff because a particular Board member does not like the language. Each Board member needs to protect his or her vote, and they must not give up their authority to use that vote by giving the Chairman the authority to take action on behalf of the entire Board.

Mr. Zaremba stated the Board has given that authority to the Chairman to represent York County in any number of forums in the past, internally and externally.

Chairman Noll indicated that being an ambassador for the County is one thing, but exerting undue authority is another.

Miss Rapp stated she supported parts of the proposed language for Section 6-2, but she also liked the wording of the current section. She indicated she would like to be assured that whoever is on the losing side cannot go to staff and ask them to do something different than was voted on by the Board as a whole. Miss Rapp noted that the County Administrator works for the Board of Supervisors, and if the Board can't trust him, then they won't keep him. She noted that if the current language is adopted, then next year and in the years following she would continue to state that she does not like abdicating her one vote. She stated she believes in openness and honesty, and she will continue to want to change this restriction and the restrictions placed on Citizens Comment Period.

Mr. Barnett stated that the position of the County Administrator is a statutory creature in that the Code of Virginia recognizes the position. The Board can delegate as much or as little authority as it wants, but it is also true that the County Administrator and the County Attorney relate to the Board as a whole. He stated the new language would give the Chairman the discretion to have the County Administrator take interim measures until the Board as a whole meets again. There is a line that could be crossed here that could cause the Board some trouble in that there is no definition of "interim measure," and he suggested that the term be clarified. He suggested that wording such as "However, the Chairman shall not direct the County Administrator to take any such interim measures which may be unlawful without further Board action" be added to the section.

Mr. Zaremba stated he did not feel the addition was necessary. He stated there was enough responsibility on the Board not to misuse its authority. The whole purpose behind the Rules of Procedure are to let the citizens know that they are why the Board exists, and the responsibility lies with the Board. He stated if the Board misses the mark on any of its procedures, nothing keeps them from going back and amending them.

Chairman Noll expressed her concern that the citizens might read more into the Rules of Procedures than was intended by the Board.

Miss Rapp asked if the other Board members had considered the idea of the Board scheduling one Regular Meeting and one work session per month. Regarding Section 3-1 and the deletion of Agency and Staff Presentations, she stated the County's volunteers, the Board members, and the staff make the County what it is, and she did not want to move those presentations to work sessions because it might be looked at as giving them 3rd rate status. Miss Rapp indicated that she would continue to try and make these changes in the future.

Mr. Wiggins then moved the adoption of proposed Resolution R00-1(R) which reads:

A RESOLUTION TO ADOPT THE YORK COUNTY BOARD OF SUPERVISORS' RULES OF PROCEDURE FOR 2000

January 5, 2000

BE IT RESOLVED by the York County Board of Supervisors this 5th day of January, 2000, that the following Rules of Procedures be, and they are hereby, adopted for 2000:

RULES OF PROCEDURE
YORK COUNTY BOARD OF SUPERVISORS
As Amended through January 5, 2000

SECTION 1 - MEETINGS

Section 1-1 When and Where Regular Meetings are Held

The time and place of regular meetings of the Board of Supervisors shall be established at each annual meeting. Regular meetings for the months of January, February, and March shall be called to order at 7:00 p.m., EST and DST in the Board Room, York County Finance Building, on the first and third Wednesdays of each month.. Regular meetings for the remainder of the year shall be called to order at 7:00 p.m., EST and DST in the Meeting Room, York Hall, on the first Tuesday of each month, with the exception of the first Tuesday in the month of July, and on the third Tuesday of each month. Should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended.

If the Chairman, or the Vice Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for board members to attend a regularly scheduled meeting, the meeting shall be continued to the following Wednesday during the months of January, February, and March at 7:00 p.m., in the Board Room, York County Finance Building, and to the following Tuesday at 7:00 p.m. in the Meeting Room, York Hall, during the remainder of the year. Such finding shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required.

Section 1-2 Special Meetings

The Board of Supervisors may hold such special meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time as it may find convenient and/or necessary. As a general rule, no work sessions will be conducted during the months of July or August other than those which may occur at the beginning of a regular meeting. A special meeting of the Board of Supervisors shall be called pursuant to Section 15.2-1416 of the Code of Virginia, as amended.

Section 1-3 Annual/Semi-Annual Meetings

The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting; and the first meeting held in the sixth month thereafter shall be known as the semi-annual meeting.

Section 1-4 Quorum and Method of Voting

At any meeting a majority of the supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a viva voce vote of a majority of the supervisors voting on any such question, unless otherwise provided by law. The name of each member voting and how he or she voted must be recorded. The Board of Supervisors has elected not to have a tie breaker as provided for by the Code of Virginia, and a tie vote on any motion shall be considered defeated as provided for in Section 15.2-1420.

Section 1-5 Procedure for Roll Call for Board Members

(1) The Chairman of the Board of Supervisors shall cast the last vote.

- (2) The Members of the Board of Supervisors shall cast votes in district order on a rotating basis.

Section 1-6 Members Absenting Themselves from Meeting Prior to Adjournment

After the name of any member of the Board has been recorded as present at any meeting of the Board, the member shall not leave the meeting previous to adjournment unless by consent of the Board.

Section 1-7 Board to Sit with Open Doors

The Board of Supervisors shall sit with open doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as provided in the Virginia Freedom of Information Act.

Section 1-8 Closed Meetings

A closed meeting shall be held when necessary.

SECTION 2 - OFFICERS

Section 2-1 Election and Term of Chairman and Vice Chairman

At the annual meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice Chairman, each of whom shall serve for a term of one year expiring on December 31, or until their respective successors shall have been elected. In the case of the absence from any meeting of the Chairman and Vice Chairman, the members present shall choose one of their number as temporary Chairman.

Section 2-2 Chair May Administer Oaths

The Chairman shall have power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

Section 2-3 Clerk

The Clerk of the Board shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law or delegated by the Board of Supervisors.

Section 2-4 Parliamentarian

The County Attorney shall serve as the Parliamentarian.

Section 2-5 Preservation of Order

At meetings of the Board, the presiding officer shall preserve order and decorum.

SECTION 3 - CONDUCT OF BUSINESS

Section 3-1 Order of Business

At regular meetings of the Board, the order of business shall be as follows:

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- (a) Call to Order
- (b) Invocation
- (c) Pledge of Allegiance
- (d) Roll Call of Members
- (e) Highway Matters
- (f) Presentations
- (g) Citizens Comment Period
- (h) Reports, Requests, and Recommendations of the County Attorney
- (i) Reports, Requests, and Recommendations of the County Administrator
- * (j) Matters Presented by the Board
- (k) Public Hearings (8:00 p.m.)
- (l) Unfinished Business
- (m) Consent Calendar
- (n) New Business
- (o) Closed Meeting

*This time is generally used for individual Board members to share information with other members of the Board and the public. Items presented under this heading requiring action will be for future agenda items or for additional information from staff members only. No item presented under this heading or at any point during the meeting will be acted upon at the meeting at which presented unless it is with the unanimous consent of the Board that the item be put on the floor for action.

Prior to the agenda being prepared, a member of the Board may contact the Clerk and have an item included under this heading. The County Administrator shall prepare a memorandum which will inform other members of the Board of the particulars pertaining to this item.

Section 3-1.1 Consent Calendar

The Consent Calendar shall be introduced by a motion "To approve the Consent Calendar," and shall be considered by the Board as a single item.

There shall be no debate or discussion by any member of the Board regarding any item on the Consent Calendar, beyond asking questions for simple clarification.

On objection by any member of the Board of Supervisors to the inclusion of any item on the Consent Calendar, that item shall be removed from the Consent Calendar forthwith. Such objection may be recorded at any time prior to voting on the motion to approve the Consent Calendar. All such items shall be considered individually, in the order in which they were objected to, immediately following consideration of the Consent Calendar.

Approval of the motion to approve the Consent Calendar shall constitute approval, adoption, or enactment of each motion, resolution, ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

Section 3-2 Manner of Addressing Board Generally; Speaking Only on Question Before Board

- (1) Any person, including Board members, who speaks to the Board shall address the Chair and shall confine comments to the question before the Board.
- (2) No person in attendance at a meeting of the Board shall be permitted to address the Board while the members are considering any motion, resolution or ordinance preliminary to a vote on the same, except at the discretion of the Chair.
- (3) During those times when the public is addressing the Board, the Chair shall appoint a timekeeper who shall notify speakers and the Board that the allotted time for addressing the Board has expired. Speakers shall conclude their remarks at that time unless the consent of the Board is affirmatively given to extend the speaker's allotted time.
- (4) All presentations to the Board shall normally be limited to no more than 10 minutes, except as hereinafter provided.

Section 3-3 Use of Offensive Language or Gestures; Sectarian or Political Discussion

No member of the Board shall in debate at any meeting of the Board use any language or gesture calculated to offend or insult another member. No discussion of a sectarian or partisan character shall be allowed at meetings of the Board.

Section 3-4 Priority in Speaking to Board

When two or more members of the Board wish to speak at the same time, the Chairman shall name the one to speak.

Section 3-5 Speaking More than Once on Same Subject

In any debate before the Board, no member of the Board shall speak more than once on the same question until all the others have spoken who desire to do so, nor more than twice on the same question, unless by consent of the Board.

Section 3-6 Form of Petitions, etc.

Every petition, communication, or address to the Board shall be in respectful language and, except in cases where it is otherwise allowed, shall be in writing.

Section 3-7 Motions

No proposition shall be entertained by the Chairman until a motion for the same has been duly made. No motion shall require a second. The Chairman may make a motion without vacating the Chair.

Section 3-8 Decision on Points of Order

The Chairman, when presiding at a meeting of the Board, without vacating the Chair, may give reasons for any decision made by the Chair on any point of order, and such decision shall be made without debate.

Section 3-9 Same; Appeal to Board

Any member of the Board may appeal to the Board from the decision of the Chairman on any question of order, a majority vote of those present being necessary to over-rule the Chairman.

Section 3-10 Motion to Adjourn

At a meeting of the Board, a motion to adjourn shall be always in order and shall be decided without debate.

Section 3-11 Motions While a Question is Under Debate

When a question is under debate at a meeting of the Board, no motion shall be received unless it be one to amend, to commit, to postpone, to ask for the previous question, to make a substitute motion, to lay on the table, or to adjourn.

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Section 3-12 Reconsideration of Motions, etc., Upon Which Vote Has Been Announced

At any meeting of the Board, when any vote upon any motion, resolution, ordinance, or question has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side, provided that such motion shall be made at the session of the Board at which it was decided. Such motion shall be decided by a majority of the votes of the members present, unless a greater number of votes was required to pass the measure, in which event the motion to reconsider shall not prevail, except upon the vote of as great a number of members as was required to pass the measure.

For the purpose of this Section, "session" shall include any adjourned or special meeting occurring prior to the next Regular Meeting.

Section 3-13 Suspending Rules

The rules of the Board may be suspended with the unanimous concurrence of the members present.

Section 3-14 Robert's Rules of Order

The proceedings of the Board, except as otherwise provided in the Rules of Procedure and by applicable State law, shall be governed by Robert's Rules of Order.

SECTION 4 - PUBLIC HEARINGS

Section 4-1 Speakers

At every public hearing, speakers wishing to address the Board shall clearly state their name and address. All speakers, except as hereinafter provided, shall limit their remarks to three (3) minutes. Speakers may not yield any unused portion of their speaking time to others. Staff presentations should be concise and normally limited to no more than ten (10) minutes except when necessary to properly inform the public of the issue before the Board. The applicant in a land use case or his/her representative(s) shall be allowed a maximum of ten (10) minutes to present their case. Each speaker shall be limited to one appearance at each public hearing, except at the discretion of the Chair, and only after all other speakers have been given an opportunity to be heard on the subject being considered.

The order of business for public hearings shall be:

- staff presentation
- applicant's presentation (if any)
- public comments

Section 4-2 Members' Participation

Board members shall limit their comments in public hearings to insure participation by the public without Board interference.

Section 4-3 Close of Hearing

When a public hearing shall have been closed by the order of the Chairman of the Board, no further public comments are in order.

SECTION 5 - AGENDA

Section 5-1 Preparation

The Clerk shall prepare an Agenda for each regular meeting conforming to the order of business specified in Section 3-1 under Order of Business. Except as permitted at the discretion of the Clerk, every item to be placed on the Agenda shall be received in the Office of the County Administrator before the close of the work day on the Thursday two weeks prior to any regular meeting of the Board. Prior to publication of the agenda, the Clerk shall coordinate recommended agenda subjects for approval with the Chairman, or with the Vice Chairman in the Chairman's absence.

Section 5-2 Delivery

The agenda shall be received by each member of the Board and the Attorney to the Board at least 48 hours prior to the meeting.

Section 5-3 Posting

A copy of the Agenda shall be posted on the bulletin board at the door to the Board Room, York County Finance Building, during the months of January, February, and March, and shall be posted on the bulletin board at the door to York Hall during the remainder of the year at least 48 hours prior to the meeting.

Section 5-4 Copies

The Clerk to the Board shall prepare or cause to be prepared extra copies of the Agenda and shall make the same available to the public in the Office of the County Administrator at the same time the Agenda is posted pursuant to Section 5-3. The Clerk shall also have copies available at each meeting.

Section 5-5 Request to Appear Before the Board of Supervisors

Any citizen (individual, firm, association, or corporation) desiring to appear before the Board of Supervisors shall make a request to the Clerk or the Clerk's designee and receive approval; however, no written application or approval shall be required in order to speak to the Board during Citizens Comment Period or at public hearings.

Section 5-5.1 Citizens Comment Period

During Citizens Comment Period, speakers wishing to address the Board shall clearly state their name and address. Unless approved by the Chairman, or by the Vice Chairman in the Chairman's absence, only York County citizens or persons who own property or businesses in the County shall be allowed to address the Board during the Citizens Comment Period. Speakers shall limit their remarks to three (3) minutes and may not yield any unused portion of their speaking time to others. Each speaker shall be limited to one appearance at each Regular Meeting of the Board. Speakers shall be limited to speaking on the same subject not more than three times within any 12-month period.

SECTION 6 - GENERAL CONDUCT AND DECORUM

Section 6-1 Conduct of Public

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. The soliciting of funds, the use of abusive or profane language, personal attacks on Board members, the failure to comply with time limits on speakers, or other forms of offensive conduct will not be tolerated. The Chairman will maintain proper order at all

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times during all meetings of the Board and shall effect the removal from any meeting of any person guilty of offensive conduct if the offending party fails or refuses to cease such conduct.

Section 6-2 Board Action; effect

The Board of Supervisors is charged with administering County functions. Primary among these many functions is making policy with majority vote required to effect policy implementation.

The County Administrator is employed by the Board to supervise the execution of County functions in the interim between meetings of the Board. The County Administrator may be delegated as much or as little authority as the governing body desires.

The Board of Supervisors bears the responsibility for successful operation of County government and its functions. Each supervisor is responsible for knowing Board policy and its intent.

The Chairman of the Board of Supervisors is directly responsible for overseeing the implementation of policy by the County Administrator and ensuring that implementation is consistent with the spirit and intent of the Board's actions. In the event that an action or actions may be necessary without the ready consensus of the Board, the Chairman shall have the discretion to authorize the County Administrator to take interim measures until the Board can meet and make any necessary decision.

On roll call the vote was:

Yea: (3) Zaremba, Wiggins, Burgett
Nay: (2) Rapp, Noll

ELECTION OF CHAIRMAN

Mrs. Noll opened the floor to nominations for the office of Chairman of the Board of Supervisors for 2000.

Mr. Burgett nominated Walter C. Zaremba.

Mr. Zaremba moved that the nominations for the office of Chairman of the Board of Supervisors for 2000 be closed.

On roll call the vote was:

Yea: (5) Wiggins, Burgett, Rapp, Zaremba, Noll
Nay: (0)

Miss Rapp stated she would hope that no one on this Board would accept the position of Chairman if they were not willing and able to meet the obligations of the position. Everyone on the Board wants to serve; but if a member does not have the required time to fulfill all the obligations, they should decline the position.

Chairman Zaremba stated there would be times when the Chairman would not always be available or able to attend everything on the calendar. As with other levels of government, there will be times when the Vice Chairman will sit in for the Chairman. He stated he was confident that everyone on the Board was aware that they had the privilege of being elected to this office to fulfill all duties of his or her office.

Mrs. Noll moved that Walter C. Zaremba be elected as Chairman of the Board of Supervisors for 2000.

On roll call the vote was:

Yea: (5) Burgett, Rapp, Zaremba, Wiggins, Noll
Nay: (0)

ELECTION OF VICE CHAIRMAN

Chairman Zaremba opened the floor to nominations for the office of Vice Chairman of the Board of Supervisors for 2000.

Mr. Wiggins nominated James S. Burgett.

Miss Rapp moved that the nominations for the office of Vice Chairman be closed.

On roll call the vote was:

Yea: (5) Rapp, Noll, Wiggins, Burgett, Zaremba
Nay: (0)

Miss Rapp moved that James S. Burgett be elected as Vice Chairman of the Board of Supervisors for 2000.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Burgett, Rapp, Zaremba
Nay: (0)

CITIZENS COMMENT PERIOD

No one appeared to speak at this time.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett stated his office makes quarterly reports on the status of litigation to the Board, but they are running a little late this quarter. He stated the Board could expect to hear about several cases being filed concerning certain personal property that can only be charged by the State and not the County. Suits have been filed by Pepsi and Exxon, and other companies are looking to file suits hoping to win in the Supreme Court in the spring. He stated he had just filed a response to the Pepsi case.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. Stuck updated the Board members on the Y2K compliance. He stated the Emergency Operations Center was partially staffed during New Year's, and nothing happened. All the emergency equipment was tested, and it checked out fine; no Y2K problems were identified. Mr. Stuck thanked all the staff who worked on the compliance project, particularly the staff of Computer Support Services who made this a non-event. He noted that the computers of Mrs. Noll and Mr. Zaremba were down until they could be made Y2K compliant, and that the computers of the other members of the Board should be installed in the next few weeks. He also informed the new Board members to watch for information on using their voicemail, and he asked that they let Mrs. Simmons know when they had it working. Mr. Stuck then indicated he had contacted each Board member about a date for a retreat, and stated the facilitator had asked if the Board members could move the date back to February 5.

By consensus the Board members agreed to holding their retreat on Saturday, February 5.

Mr. Stuck also noted he had provided the Board members with the first of their Board Calendar and Schedules, stating that it was provided so that the Board could reserve certain meeting dates, and it is updated periodically as necessary. He noted that Tuesdays have been reserved for meeting dates after the first of April.

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MATTERS PRESENTED BY THE BOARD

Chairman Zaremba stated there might be some electricity at Board meetings from time to time during this year and perhaps the next four years because the citizens have elected five people who have the best interest of the citizens of this County in mind. Each Board member brings a different philosophy tempered by years of experience. He stated he was proud to be a part of the County and its administration, and he felt very privileged to be a part of the next four years for York County.

Mrs. Noll stated it had been a wonderful four years, and she was looking forward to the next four. The previous Board had very good and open government and a lot of communication with the citizens over the last four years. It had been a privilege and honor to work for the citizens, and she thanked the voters for allowing her to serve them for a another term.

Miss Rapp thanked her family, friends, and over 100 volunteers for helping her get elected. She stated she believes in open government which was why she got involved in politics. She provided her voicemail number and encouraged citizens to call her, and she stated she would like to see the voicemail numbers and email addresses for all the Board members run across the bottom of the television screen periodically during the meetings. Miss Rapp stated she looked forward to learning how government works, and she expressed her hope that if the Board disagrees, it will disagree agreeably.

Mr. Wiggins thanked his supporters and the citizens who voted for him. He stated he would work diligently on the issues brought before the Board. Mr. Wiggins then indicated the previous Board had voted to allow the YMCA to build a community facility in the southern end of the County next to the new library. He stated he was opposed to the project because it failed to provide recreational facilities to all York County citizens. The Board had also voted to subsidize the citizens in the northern end of the County in order for them to use the James City County/Williamsburg facility, yet both new projects fail to provide for most of District 3 residents. Mr. Wiggins asked that Mr. Stuck arrange for a meeting to be held as soon as possible with the rest of the Board, the School Board, interested parents, representatives of the Parks and Recreation staff, and others in order to receive information on designing a gymnasium at the Seaford Elementary School that will serve the children of Seaford as well as be used for a community center for after school hours.

Mr. Zaremba noted that the project was on the agenda for the Board's budget deliberations, but he did not feel any of the Board members would have a problem with the coordination of such a meeting.

Mr. Burgett stated he was very pleased to be on the Board, indicating these were very exciting times to live in York County. There were a lot of good ideas brought to light while he was campaigning, and this Board brings with it a new enthusiasm. There will be no such thing as business as usual. He stated the Board possesses a very common thread that runs among them, and there is a mutual determination to listen to the citizens and govern accordingly while raising government service to a higher level. Mr. Burgett thanked his campaign team and the voters of District 4 who have given him the opportunity to serve.

Chairman Zaremba again addressed statements made earlier concerning the handling of citizens comments by other jurisdictions, stating he knew from first-hand knowledge that the City of Williamsburg Council has denied non-citizens the right to address it body. He stated the citizens of York County should have the primary privilege of addressing the Board, but the Board would not deny others the ability to address the Board. The message should be clear that York County citizens have top priority, and the Board encourages their participation.

Meeting Adjourned. At 8:22 p.m. Chairman Zaremba declared the meeting adjourned sine die.

Daniel M. Stuck, Clerk
York County Board of Supervisors

Walter C. Zaremba, Chairman
York County Board of Supervisors